

**The Central Guide Supplement to LBR 3015-1(v)**

# **Presumptively Reasonable Attorney's Fees in Chapter 13 Cases**

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## **1.1 Guidelines for Allowance of Attorneys' Fees in Chapter 13 Cases**

These guidelines govern the allowance of attorneys' fees and costs in chapter 13 cases in this district.

(a) **Fees for Services Described in Bold Face Type in Rights and Responsibilities Agreement Between Chapter 13 Debtors and Their Attorneys ("RARA")**. An attorney may receive an order approving fees up to a maximum amount of \$6,000 in a case where the debtor is engaged in a business; or \$5,000 in all other cases without filing a detailed fee application if:

- (1) The attorney has filed with the court and served on the chapter 13 trustee the statement required pursuant to Rule 2016 of the Federal Rules of Bankruptcy Procedure and a fully executed copy of the RARA, copies of which are available in the clerk's office and in the chapter 13 trustees' offices; and
- (2) No objection to the requested fees has been raised.

(b) **Fees for Additional Services Without Filing a Detailed Fee Application**. An attorney may also receive an order approving fees for the following identified additional services in an amount not to exceed the maximum amount identified for each service after filing a fee application, but without providing a billing statement for the listed fees:

**Presumptively Reasonable Fees (No Look Fees)**

<b>LEGAL SERVICE</b>	<b>NO LOOK FEE MAXIMUM</b>
<b>MOTION TO EXTEND/IMPOSE STAY (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>APPLICATION FOR ORDER SHORTENING TIME (NO OPPOSITION)</b>	<b>\$350.00</b>
<b>MOTION TO AVOID LIEN (506(a)) (NO OPPOSITION)</b>	<b>\$1,250.00</b>
<b>MOTION TO AVOID LIEN (506(a)); STIPULATION AND ORDER TO AVOID LIEN (506(a)) (NO OPPOSITION)</b>	<b>\$1,500.00</b>
<b>MOTION TO AVOID LIEN (522(f)) (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>MOTION TO DISALLOW CLAIM (NO OPPOSITION)</b>	<b>\$950.00</b>
<b>OPPOSITION TO TRUSTEE'S MOTION TO DISMISS/CONVERT CASE</b>	<b>\$350.00</b>
<b>MOTION TO MODIFY PLAN (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>MOTION TO REFINANCE/SELL REAL PROPERTY (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>MOTION TO INCUR DEBT (NO OPPOSITION)</b>	<b>\$750.00</b>
<b>APPLICATION FOR ORDER CONFIRMING THAT LOAN MODIFICATION DISCUSSION WILL NOT VIOLATE STAY</b>	<b>\$300.00</b>
<b>COMPLAINT TO AVOID LIEN</b>	<b>\$2,000.00</b>
<b>LOAN MODIFICATION MANAGEMENT FEES AND COSTS</b>	<b>\$2,500.00</b>

- (1) Attorneys must file an application to receive the no look fees but are not required to provide detailed billing statements with the application.
  - (2) The foregoing fees do not include court appearances but do include normal costs incurred in connection with the legal service. If the attorney seeks reimbursement of extraordinary costs, an application detailing the costs will be required.
  - (3) Some judges may not allow "no look fees" for every service provided in the foregoing schedule. Attorneys should check the judge's page on the court's website for instances where the judge will not approve the no look fee.
- (c) **Fees to Be Paid Other Than Pursuant to These Guidelines.** If an attorney seeks additional fees or elects to be paid other than pursuant to these Guidelines, the attorney shall file and serve an application for fees in accordance with 11 U.S.C. §§ 330 and 331, Rules 2016 and 2002 of the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules 2016-1 and 3015-1, as well as the "Guide To Applications For Professional Compensation" issued by the United States Trustee for the Central District of California.
- (d) In any event, on its own motion or the motion of any party in interest, the court may order a hearing to review any attorney's fee agreement or payment, in accordance with 11 U.S.C. § 329 and Rule 2017 of the Federal Rules of Bankruptcy Procedure.